

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

HEADWATER RESEARCH LLC

v.

SAMSUNG ELECTRONICS AMERICA,  
INC., ET AL.

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Case No. 2:22-CV-0422-JRG-RSP

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**Motions Hearing  
MAG. JUDGE ROY PAYNE PRESIDING  
April 24, 2024**

**OPEN: 9:06 am**

**ADJOURN: 2:49 pm**

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ATTORNEYS FOR PLAINTIFF:

Peter Tong  
James Tsuei  
Chris Bunt

ATTORNEY FOR DEFENDANTS:

Noah Graubart  
Thad Kodish  
Leonard Davis  
Tom Gorham

LAW CLERK:

Joshua Scheufler

COURT REPORTER:

Shelly Holmes

COURTROOM DEPUTY:

Becky Andrews

Court opened. Case called. Chris Bunt introduced co-counsel and announced ready. Tom Gorham introduced co-counsel and announced ready.

The Court asked for further argument from the hearing held in 2:24mc3. Noah Graubart argued for Samsung. James Tsuei argued for plaintiff. The Court instructed Mr. Tsuei to file an Amended Privileged Log within two weeks from today and make any additional production of items not privileged also within two weeks.

Mr. Graubart then argued Samsung's Motion to Compel Production of Documents Regarding Headwater's Patent Portfolio Sale Negotiations with Third Parties (Dkt. No. 88) and certain parts of Defendant's Motion to Compel Production of Documents Withheld Under Improper Assertions of Privilege, Work Product, and Common Interest and for Headwater to Cure its Deficient Privilege Log (Dkt. No. 100) and Samsung's Motion to Compel Production of Improperly Redacted and Withheld Documents (Dkt. No. 137). Mr. Tsuei responded for Headwater.

Mr. Graubart continued argument on the other aspects of Defendant's Motion to Compel Production of Documents Withheld Under Improper Assertions of Privilege, Work Product, and Common Interest and for Headwater to Cure its Deficient Privilege Log (Dkt. No. 100). Mr. Tsuei responded.

Thad Kodish informed the Court that Plaintiff's Opposed Motion to Compel Analyses of Battery Savings Benefits (Dkt. No. 99) and Plaintiff's Opposed Motion to Compel Battery Testing Evidence (Dkt. No. 113) have been resolved.

Mr. Kodish then argued Defendant's Motion to Compel Withheld Responsive ESI (Dkt. No. 96).

After the lunch break, the parties continued with arguments. Mr. Tsuei responded.

The Court then heard arguments on Defendant's Motion (1) to Compel Re-Production of Clawed Back Document and (2) to Order That Headwater Waived Privilege as to Its Pre-Suit Communications with Counsel Regarding Suing Samsung (Dkt. No. 116). Mr. Kodish for defendants. Mr. Tsuei for plaintiff.

Mr. Kodish then argued Samsung's Motion to Compel Documents, Discovery Responses (Dkt. No. 136). Mr. Tsuei responded.

The made rulings and will enter an Order.